

## § 1215.110

(4) Spacecraft events significant to tracking, telemetry or command requirements.

(5) Communications systems specifics, including location of antennas and other related information dealing with user tracking, command, and data systems.

(6) Special test requirements, data flows, and simulations, *etc.*

(7) Identification of terrestrial data transport requirements, interface points, and delivery locations, including latency and line loss recovery.

(e) To provide for effective planning, reference Appendix A, Typical New User Activity Timeline.

[77 FR 6953, Feb. 10, 2012]

### § 1215.110 User cancellation of all services.

The user has the right to terminate its service contract with NASA at any time. A user who exercises this right after contracting for service shall pay the charge agreed upon for services previously rendered, and the cost incurred by the Government for support of pre-launch activities, services, and mission documentation not included in that charge. The user will remain responsible for the charges for any services actually provided.

### § 1215.111 User postponement of service.

The user may postpone the initiation of contracted service (e.g., user launch date) by delivery of written notification to NASA Headquarters, Code OX. Any delay in the contracted start of service date may affect the quantity of service to be provided due to commitments to other support requirements. Therefore, the validity of previous estimates of predicted support availability may no longer be applicable.

[56 FR 28049, June 19, 1991]

### § 1215.112 User/NASA contractual arrangement.

No service shall be provided without an approved agreement.

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### § 1215.113 User charges.

(a) The user shall reimburse NASA the sum of the charges for standard

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and mission-unique services. Charges will be based on the service rates applicable at the time of service.

(b) For standard services, the user shall be charged only for services rendered, except that if a total cancellation of service occurs, the user shall be charged in accordance with the provisions of § 1215.110.

(1) Standard services which are scheduled, and then cancelled by the user less than 72 hours prior to the start of that scheduled service period, will be charged as if the scheduled service actually occurred.

(2) The time scheduled by the user project shall include the slew time, set up and/or configuration time, TDRSS contact time, and all other conditions for which TDRSS services were allocated to the user.

(3) Charges will be accumulated by the minute, based on the computerized schedule/configuration messages which physically set up TDRSS equipment at the start of a support period and free the equipment for other users at the end of a support period.

(c) The user shall reimburse NASA for the costs of any mission-unique services provided by NASA.

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### § 1215.114 Service rates.

(a) Rates for TDRSS services will be established by the DAA for SCA<sub>N</sub>.

(b) Per-minute rates will reflect TDRSS total return on investment and operational and maintenance costs.

(c) The rate per minute by service and type of user is available on the following Web site: [https://www.spacecomm.nasa.gov/spacecomm/programs/Space\\_network.cfm](https://www.spacecomm.nasa.gov/spacecomm/programs/Space_network.cfm).

(d) The per-minute charge for TDRSS service is computed by multiplying the charge per minute for the appropriate service by the number of minutes utilized.

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### § 1215.115 Payment and billing.

(a) The procedure for billing and payment of standard TDRSS services is as follows:

(1) NASA shall be reimbursed by customers in connection with the use of

Government property and services provided under an approved reimbursable agreement. Advance payment for services is required. Advance payments shall be scheduled to keep pace with the rate at which NASA anticipates incurring costs. NASA will provide a Customer Budget/Estimate (CBE) for services rendered nominally 60-90 days in advance, or as otherwise agreed, of the first anticipated property use or required service date for each mission. The full cost of the mission shall be paid by the customer not later than 30 days prior to the first anticipated property use or required service date.

(2) In some cases, an advance partial payment will be required six—nine months prior to the first anticipated property use or required service date in order for advance planning work and/or travel to take place. The amount of this partial payment and its receipt shall be negotiated on an as-needed basis. Adjustments to the amounts prepaid will be made to the succeeding billings as the actual services are rendered.

(3) If the customer fails to make payment by the payment due date, NASA may terminate the agreement and any subagreements for breach of agreement after notice to the customer is given of this breach and failure to cure such breach within a time period established by NASA.

(b) Late payments by the user will require the user to pay a late payment charge.

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**APPENDIX A TO PART 1215—ESTIMATED SERVICE RATES IN 1997 DOLLARS FOR TDRSS STANDARD SERVICES (BASED ON NASA ESCALATION ESTIMATE)**

*Time:* Project conceptualization (at least two years before launch; Ref. § 1215.108(a)).

*Activity:* Submit request for access to TDRSS. Upon preliminary acceptance of the service requirements by NASA Headquarters, communications for the reimbursable development of a Space Act Agreement (SAA) will begin. Prior to finalization of the Memorandum of Agreement (MOA), an estimate for the services will be issued. After SAA signature, full funding of the effort must be received prior to NASA initiating any activities associated with the effort. (Ref. § 1215.115(a)(1)).

*Time:* 18 months before launch (Ref. § 1215.109(c)).

*Activity:* After full funding has been received and distributed to the executing NASA entities, submit general user requirements to permit preliminary planning. Contact will occur to facilitate the integration process for access to TDRSS. If appropriate, initiate action with the Federal Communications Commission for license to communicate with TDRSS (Ref. § 1215.107(b)).

*Time:* 12 months before launch (earlier if possible).

*Activity:* Provide detailed requirements for technical definition and development of operational and interface control documents. (Ref. § 1215.109(d)).

*Time:* 3 weeks prior to a Scheduled Support Period (SSP).

*Activity:* Submit scheduling request to NASA covering a weekly period. Receive schedule from NASA based on principles of priority (Ref. § 1215.109(b)). User confirmation of the schedule is required.

*Time:* Up to 72 hours prior to an SSP.

*Activity:* Can cancel an SSP without charge (Ref. § 1215.113(b)(1)).

*Time:* Up to 45 minutes prior to an SPP.

*Activity:* Can schedule an SSP if a time slot is available without impacting another user.

*Time:* Up to 10 minutes prior to an SSP.

*Activity:* Can schedule an SSP utilizing TDRSS unused time (TUT).

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**APPENDIX B TO PART 1215—FACTORS AFFECTING STANDARD CHARGES**

Charges for services shall be determined by multiplying the factors below by the base rates for standard services set forth in appendix A.

	Flexi- ble	Time or position con- strained	Emer- gency service, disruptive updates
Single access service .....	.5	1	2
Multiple access forward (command) service .....	.67	1	2
	Normally sched- uled sup- port		Emer- gency service, disruptive updates
Multiple access return (telemetry) service .....	1		2